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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,670	02/11/2002	Erik B. Christensen	50037.94USU1/167394.2	4585

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EXAMINER

RIES, LAURIE ANNE

ART UNIT PAPER NUMBER

2176

DATE MAILED: 02/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/073,670	CHRISTENSEN ET AL.	
	Examiner	Art Unit	
	Laurie Ries	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. This action is responsive to communications: Request for Continued Examination, filed 2 December 2005, to the original application filed 11 February 2002.
2. Claims 1-19 remain rejected under 35 U.S.C. 102(a) as being anticipated by Microsoft Corporation, "Draft: Discovery of Web Services (DISCO)" (hereafter referred to as "The DISCO Document").
3. Claims 20-22 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Corporation, "Draft: Discovery of Web Services (DISCO)" (hereafter referred to as "The DISCO Document") and Newell (U.S. Publication 2003/0112270 A1).
4. An additional grounds of rejection has been added for claims 1-22 under 35 U.S.C. 103(a) as necessitated by newly found prior art.
5. Claims 1-22 are pending. Claims 1, 11, 17, and 20 are independent claims.

### ***Response to Arguments***

6. The declarations filed on 2 December 2005 under 37 CFR 1.132 have been considered but are ineffective to overcome the reference by Microsoft Corporation, "Draft: Discovery of Web Services (DISCO)", hereafter referred to as the DISCO document.

The declaration filed under 37 C.F.R. 1.132 attempts to show that the DISCO document was authored by the inventors of the present application (U.S. Patent Application Serial No. 10/073670). Applicant has provided two declarations under Appendix A in the Instant Amendment, a first declaration, signed by Erik Christensen and Andrew Layman, co-inventors of the present application (U.S. Patent Application Serial No. 10/073670), and a second declaration, signed by Henrik Frystyk Nielsen, the third co-inventor of the present application (U.S. Patent Application Serial No. 10/073670). Additionally, Applicant has provided in Appendix B of the Instant Amendment the Applicant's last version of the DISCO document dated 7 July 2000. Applicant has also provided in Appendix C of the Instant Amendment an email thread dated 7 July 2000 presenting a communication between Erik Christensen, one of the co-inventors of the present application, and Sara Williams, a technical writer who prepares documents for publication on the Microsoft developer network.

Upon review of the two declarations, the Office notes that there appears to be a contradiction regarding authorship of the DISCO document. The first declaration, signed by Erik Christensen and Andrew Layman, co-inventors of the present application (U.S. Patent Application Serial No. 10/073670), states in item number 5 that the final version of the DISCO document was authored by the inventors, however, the second

declaration, signed by Henrik Frystyk Nielsen, the third co-inventor of the present application (U.S. Patent Application Serial No. 10/073670), states in item number 5 that the technical content of the DISCO document was provided to the author of the DISCO document by the inventors. Clarification is respectfully requested.

Additionally, the submission of the final version of the DISCO document does not provide the background necessary to show that the original DISCO document was authored by the inventors. The email thread provided in Appendix C implies that co-inventor Erik Christensen was involved in revisions to the DISCO document, however it does not show authorship.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

7. Claims 1-19 are rejected under 35 U.S.C. 102(a) as being anticipated by Microsoft Corporation, "Draft: Discovery of Web Services (DISCO)" (hereafter referred to as "The DISCO Document").

**As per claim 1,** The DISCO Document discloses a computer-implemented method for identifying metadata about a resource in the form of a Discovery Document

which is identified by a first identifier, including issuing a request to get a rendition of the resource identified by the first identifier (See The DISCO Document, Page 2, Section 1, Bullet 2 – sample algorithm), parsing a response document received in response to the issued request (See The DISCO Document, Page 2, Section 1, Bullet 3 – the sample algorithm shows that the response document is parsed to determine the existence of a LINK tag within the content), and, if the response document includes an indication that the metadata exists within a resource identified by a second identifier, retrieving the metadata from the other resource identified by the second identifier (See The DISCO Document, Page 2, Section 1, Bullet 2 – sample algorithm, line following “Then:”).

**As per claim 2,** The DISCO Document discloses the limitations of claim 1 as described above. The DISCO Document also discloses that the response document includes an XML document and the indication includes an XML processing instruction (See The DISCO Document, Page 3, Section 2, paragraphs 5-7).

**As per claim 3,** The DISCO Document discloses the limitations of claim 2 as described above. The DISCO Document also discloses that the identifier includes a Universal Resource Identifier (See The DISCO Document, Page 3, Section 3, Paragraph 1).

**As per claim 4,** The DISCO Document discloses the limitations of claim 2 as described above. The DISCO Document also discloses that the indication also includes an attribute identifying an “alternate” relation (See The DISCO Document, Page 2, Section 1, Bullet 3 – sample algorithm, “rel=’alternate’”).

**As per claim 5,** The DISCO Document discloses the limitations of claim 2 as described above. The DISCO Document also discloses that the indication also includes the second identifier (See The DISCO Document, Page 2, Section 1, Bullet 3 – sample algorithm, “href='U2'”).

**As per claim 6,** The DISCO Document discloses the limitations of claim 1 as described above. The DISCO Document also discloses that the response document includes an HTML document and the indication includes a LINK tag (See The DISCO Document, Page 2, Section1, Bullet 3 – sample algorithm).

**As per claim 7,** The DISCO Document discloses the limitations of claim 6 as described above. The DISCO Document also discloses that the LINK tag also includes an attribute identifying an expected response type of text/xml (See The DISCO Document, Page 2, Section 1, Bullet 3 – sample algorithm).

**As per claim 8,** The DISCO Document discloses the limitations of claim 6 as described above. The DISCO Document also discloses that the LINK tag also includes an attribute identifying an “alternate” relation (See The DISCO Document, Page 2, Section 1, Bullet 3 – sample algorithm).

**As per claim 9,** The DISCO Document discloses the limitations of claim 6 as described above. The DISCO Document also discloses that the LINK tag also includes the second identifier (See The DISCO Document, Page 2, Section 1, Bullet 3 – sample algorithm, “href='U2'”).

**As per claim 10,** The DISCO Document discloses the limitations of claim 1 as described above. The DISCO Document also discloses that retrieving the metadata

from the other location occurs automatically and without further user interaction (See The DISCO Document, Page 2, Section 1, Bullet 2 – sample algorithm).

**As per claim 11**, The DISCO Document discloses a computer-readable medium encoded with a data structure including a discovery document including metadata about a resource stored at a first location identified by a first identifier, the discovery document being stored at a second location identified by a second identifier (See The DISCO Document, Page 2, Section 1, Paragraphs 1-2), the discovery document also including at least one typed link indicating the existence of further metadata about the resource (See The DISCO Document, Page 2, Section 1, Bullet 3 – sample algorithm).

**As per claim 12**, The DISCO Document discloses the limitations of claim 11 as described above. The DISCO Document also discloses that the typed link indicates the existence of a second discovery document and a location of the second discovery document (See The DISCO Document, Page 2, Section 1, Bullet 3 – sample algorithm).

**As per claim 13**, The DISCO Document discloses the limitations of claim 11 as described above. The DISCO Document also discloses that the typed link indicates a link to a Web-based service (See The DISCO Document, Page 4, Section 3, Paragraph 1 and example, line 3).

**As per claim 14**, The DISCO Document discloses the limitations of claim 13 as described above. The DISCO Document also discloses that another typed link indicates a link to a description of the Web-based service (See The DISCO Document, Page 4, Section 3, Paragraph 1 and example, line 3).



**As per claim 15**, The DISCO Document discloses the limitations of claim 11 as described above. The DISCO Document also discloses that the typed link indicates a link to an XML schema (See The DISCO Document, Page 4, Section 3).

**As per claim 16**, The DISCO Document discloses the limitations of claim 11 as described above. The DISCO Document also discloses that the identifier includes a Universal Resource Identifier (See The DISCO Document, Page 2, Section 1, Paragraph 2).

**As per claim 17**, The DISCO Document discloses a computer-readable medium with a data structure including a response document issued in response to a request for a resource, the response document including an indication that a document exists including metadata about the resource (See The DISCO Document, Page 2, Section 1, Paragraph 1).

**As per claim 18**, The DISCO Document discloses the limitations of claim 17 as described above. The DISCO Document also discloses that the response document is an HTML document and the indication includes a LINK tag (See The DISCO Document, Page 2, Section 1, Bullet 3 – sample algorithm).

**As per claim 19**, The DISCO Document discloses the limitations of claim 18 as described above. The DISCO Document also discloses that the response document is an XML document and the indication includes an XML stylesheet processing instruction (See The DISCO Document, Page 3, Section 2, Paragraphs 5 and 7).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Microsoft Corporation, "Draft: Discovery of Web Services (DISCO)" (hereafter referred to as "The DISCO Document") in view of Newell (U.S. Publication 2003/0112270 A1).

**As per claim 20**, The DISCO Document discloses a system for communicating data over a network including a client computer configured to issue a request for a resource and to receive information in response to the request (See The DISCO Document, Page 2, Section 1, Paragraph 2), a response document based on the resource including an indication of the existence of a discovery document, the discovery document including metadata about the resource (See The DISCO Document, Page 2, Section 1, Paragraph 1), and where the client computer receives the response document including the indication of the discovery document (See The DISCO Document, Page 2, Section 1, Paragraph 2). The DISCO Document does not disclose expressly the inclusion of a server computer including a resource. Newell discloses a server computer that contains a number of secondary pages that include discovery information (See Newell, Page 2, Paragraphs 0029-0030). The DISCO Document and Newell are analogous art because they are from the same field of endeavor of accessing discovery information. At the time of the invention it would have been

obvious to a person of ordinary skill in the art to include the server containing resources of Newell with the system of The DISCO Document. The motivation for doing so would have been to store the resource information so that it is accessible to client computers via a network (See Newell, page 2, Paragraph 0029 and Page 3, Paragraph 0042). Therefore, it would have been obvious to combine Newell with The DISCO Document for the benefit of storing the resource information so that it is accessible to client computers via a network to obtain the invention as specified in claim 20.

**As per claim 21**, The DISCO Document and Newell disclose the limitations of claim 20 as described above. The DISCO Document also discloses that the response document includes an XML document and the indication of the existence of the discovery document includes an XML stylesheet processing instruction (See The DISCO Document, Page 3, Section 2, Paragraphs 5-7).

**As per claim 22**, The DISCO Document and Newell disclose the limitations of claim 20 as described above. The DISCO Document also discloses that the response document includes an HTML document and the indication of the existence of the discovery document includes a LINK tag (See The DISCO Document, Page 3, Section 2, Paragraph 2, and Page 2, Section 1, Bullet 3 – sample algorithm).

9. Claims 1, 10-14, 16-17, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li (U.S. Patent 6,631,496 B1).

**As per claim 1**, Li discloses a computer-implemented method for identifying metadata about a resource identified by a first identifier (See Li, Column 5, lines 34-53) including issuing a request to get a rendition of the resource identified by the first identifier, such as a URL (See Li, Column 5, lines 48-53). Li also discloses parsing a response document received in response to the issued request (See Li, Column 8, lines 16-20). While Li does not disclose expressly retrieving metadata from the other resources identified by a second identifier, Li does disclose that the documents discovered in response to the request are matched to the original resource by searching for particular values in the discovered documents, such as keywords or links (See Li, Column 7, lines 14-53, and Figure 9). At the time of the invention it would have been obvious to one of ordinary skill in the art to conclude that the metadata, such as certain keywords, included in the request are retrieved from the discovered documents. The motivation for such a conclusion would have been to allow a user to locate keywords within the discovered documents thus indicating a relationship between the original resource and the discovered documents and providing a method to bookmark said discovered documents (See Li, Column 6, lines 43-60).

**As per claim 10**, Li discloses the limitations of claim 1 as described above. Li also discloses that retrieving of metadata from another location occurs automatically and without further user interaction (See Li, Column 2, lines 36-39).

**As per claims 11, 17, and 20**, Li discloses a computer readable medium including a discovery document, or resource, stored in the data structure including metadata about a resource stored at a first location identified by a first identifier, and at

least one typed link (See Li, Column 4, lines 35-48, Figure 9, and Column 7, lines 14-53). Li also discloses a data structure stored at a second location identified by a second identifier, such as the Internet (See Li, Column 5, lines 15-19, and lines 48-53). While Li does not disclose expressly that the one typed link indicates the existence of metadata from the other resources identified by a second identifier, Li does disclose that the documents discovered in response to the request are matched to the original resource by searching for particular values in the discovered documents, such as keywords or links (See Li, Column 7, lines 14-53, and Figure 9). At the time of the invention it would have been obvious to one of ordinary skill in the art to conclude that the metadata, such as certain keywords, included in the request exist in the discovered documents. The motivation for such a conclusion would have been to allow a user to locate keywords within the discovered documents thus indicating a relationship between the original resource and the discovered documents and providing a method to bookmark said discovered documents (See Li, Column 6, lines 43-60).

**As per claim 12**, Li discloses the limitations of claim 11 as described above. Li also discloses that the typed link indicates the existence of a second discovery document and a location of the second discovery document (See Li, Figure 9, and Column 7, lines 14-53).

**As per claim 13**, Li discloses the limitations of claim 11 as described above. Li also discloses that the typed link indicates a link to a Web-based service (See Li, Column 5, lines 15-19).

**As per claim 14**, Li discloses the limitations of claim 13 as described above. Li also discloses that another typed link indicates a link to a description of the Web-based service (See Li, Column 5, lines 23-33).

**As per claim 16**, Li discloses the limitations of claim 11 as described above. Li also discloses that the identifier includes a URL (See Li, Column 8, lines 32-60).

10. Claims 2-9, 18, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li (U.S. Patent 6,631,496 B1) as applied to claims 1, 17, and 20 above, and further in view of Sundaresan (U.S. Patent 6,651,059 B1).

**As per claim 2**, Li discloses the limitations of claim 1 as described above. Li does not disclose expressly that the response document includes an XML document and the indication includes an XML processing instruction. Sundaresan discloses XML documents discovered by mining relevant terms included in metadata of a resource document (See Sundaresan, Column 6, lines 59-67, and Column 7, lines 1-20). Li and Sundaresan are analogous art because they are from the same field of endeavor of discovering related documents. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the XML documents and processing instructions of Sundaresan with the method for identifying metadata about a resource of Li. The motivation for doing so would have been to utilize the framework provided by XML, a meta-language that is used to specify a set of rules for use on the World Wide Web (See Sundaresan, Column 5, lines 36-43). Therefore, it would have been obvious

to combine Sundaresan with Li for the benefit of utilizing the framework provided by XML, a meta-language that is used to specify a set of rules for use on the World Wide Web to discover documents related to a resource and thus to obtain the invention as specified in claim 2.

**As per claim 3**, Li and Sundaresan disclose the limitations of claim 2 as described above. Li also discloses that the first identifier and the second identifier include a URL (See Li, Column 8, lines 32-60).

**As per claim 4**, Li and Sundaresan disclose the limitations of claim 2 as described above. Li also discloses that the indication also includes an attribute identifying an "alternate" relation (See Li, Column 7, lines 31-37, Column 13, lines 64-67, and Column 14, lines 1-7).

**As per claim 5**, Li and Sundaresan disclose the limitations of claim 2 as described above. Li also discloses that the indication also includes the second identifier (See Li, Figure 7B, and Column 5, lines 34-53).

**As per claims 6, 7, 18, and 22**, Li discloses the limitations of claims 1, 17, and 20 as described above. Li also discloses that the response document includes an HTML document (See Li, Column 13, lines 12-17) Li does not disclose expressly that the indication includes a LINK tag. Sundaresan discloses that hyperlink metadata is identified in the discovered documents (See Sundaresan, Column 6, lines 59-67, and Column 7, lines 1-20). It is well known that hypertext link data is included in a link tag, which include various MIME types, such as text/html or text/xml. Sundaresan are analogous art because they are from the same field of endeavor of discovering related

documents. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the link data of Sundaresan with the method for identifying metadata about a resource of Li. The motivation for doing so would have been to process the documents discovered through the association rules related to the hypertext links in the discovered documents and thereby process or mine additional related documents (See Sundaresan, Column 7, lines 62-67, and Column 8, lines 1-24). Therefore, it would have been obvious to combine Sundaresan with Li for the benefit of processing the documents discovered through the association rules related to the hypertext links in the discovered documents and thereby processing or mining additional related documents to obtain the invention as specified in claims 6, 7, 18, and 22.

**As per claim 8**, Li and Sundaresan disclose the limitations of claim 6 as described above. Li also discloses including an attribute identifying an "alternate" relation (See Li, Column 7, lines 31-37, Column 13, lines 64-67, and Column 14, lines 1-7).

**As per claim 9**, Li and Sundaresan disclose the limitations of claim 6 as described above. Li also discloses including a second identifier (See Li, Figure 7B, and Column 5, lines 34-53).



11. Claims 15, 19, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li (U.S. Patent 6,631,496 B1) as applied to claims 11, 17, and 20 above, and further in view of Manning (U.S. Publication 2002/0103829 A1).

**As per claim 15**, Li discloses the limitations of claim 11 as described above. Li does not disclose expressly that the typed link indicates a link to an XML schema. Manning discloses a XML schema that defines an XML document (See Manning, Page 1, paragraph 0012, and Page 4, paragraph 0041). Li and Manning are analogous art because they are from the same field of endeavor of managing markup language data. At the time of the invention it would have been obvious to one of ordinary skill in the art to link the metadata of a resource of Li to an XML schema of Manning. The motivation for doing so would have been to determine the element/attribute schema of the resource document (See Manning, Page 4, paragraph 0041). Therefore, it would have been obvious to combine Manning with Li for the benefit of determining the element/attribute schema of the resource document to obtain the invention as specified in claim 15.

**As per claims 19 and 21**, Li discloses the limitations of claims 17 and 20 as described above. Li does not disclose expressly that the response document is an XML document and that the indication includes an XML stylesheet processing instruction. Manning discloses XML documents including stylesheet processing (See Manning, Page 5, paragraph 0045). Li and Manning are analogous art because they are from the same field of endeavor of managing markup language data. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the XML

document and stylesheet processing of Manning with the discovered documents of Li. The motivation for doing so would have been to discover XML documents and to process the stylesheet, which, as is known in the art, defines the layout of the XML data on a display. Therefore, it would have been obvious to combine Manning with Li for the benefit of discovering XML type documents and processing the stylesheet to define the layout of the XML data on a display to obtain the invention as specified in claims 19 and 21.

### ***Conclusion***

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Huang (U.S. Patent 6,895,551 B1) discloses a network quality control system for automatic validation of web pages and notification of author.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie Ries whose telephone number is (571) 272-4095. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at (571) 272-4136.

14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more

Art Unit: 2176

information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LR

*William S. Bashore*  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**  
*2/16/2006*